

APR 10 2006

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

GERMAN GARCIA GARCIA,

Defendant - Appellant.

No. 05-30416

D.C. No. CR-04-02169-LRS/CI

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of Washington
Lonny R. Suko, District Judge, Presiding

Submitted April 5, 2006**

Before: HAWKINS, McKEOWN and PAEZ, Circuit Judges.

German Garcia Garcia appeals from the district court's judgment and 155-month sentence imposed following his guilty plea conviction for conspiracy to distribute methamphetamine, in violation of 21 U.S.C. § 846, distribution of

* This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

** This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

methamphetamine, in violation of 21 U.S.C. § 841(a)(1), 18 U.S.C. § 2, and possession with intent to distribute methamphetamine, in violation of 21 U.S.C. § 841(a)(1), 18 U.S.C. § 2. We have jurisdiction pursuant to 28 U.S.C. § 1291, and we affirm.

Pursuant to *Anders v. California*, 386 U.S. 738 (1967), counsel for Garcia Garcia has filed a brief stating that there are no grounds for relief, and a motion to withdraw as counsel of record. Garcia Garcia has not filed a pro se supplemental brief, and the government has not filed an answering brief.

Our independent review of the record pursuant to *Penon v. Ohio*, 488 U.S. 75, 83 (1988), discloses no grounds for relief. Counsel's motion to withdraw is **GRANTED**, and the district court's judgment is **AFFIRMED**.